

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

[PROPOSED] ORDER GRANTING PLAINTIFF GREENFLIGHT VENTURE CORPORATION'S MOTION TO JOIN AND CONFORM RULE 59 RELIEF AND GRANTING PLAINTIFF ISAACS'S RULE 59(e) MOTION IN PART

THIS CAUSE came before the Court upon Plaintiff Jeffrey Isaacs's Rule 59(e) motion and Plaintiff Greenflight Venture Corporation's Motion to Join and Conform Rule 59 Relief. Having reviewed the motions, the responses and replies (if any), the record, and otherwise being fully advised, the Court finds that the Rule 59(e) motion is timely under Fed. R. Civ. P. 58(c)(2)(B) and Fed. R. App. P. 4(a)(7)(A)(ii), and that *Yelp Inc. v. Google LLC* (N.D. Cal. Apr. 22, 2025) is persuasive post-DOJ authority confirming the plausibility of SERP self-preferencing/suppression allegations and the need for discovery before merits resolution.

Accordingly, it is ORDERED AND ADJUDGED:

Plaintiff Greenflight Venture Corporation's Motion to Join and Conform Rule 59 Relief is GRANTED.

Plaintiff Jeffrey Isaacs's Rule 59(e) motion is GRANTED IN PART as follows:

- a. The prior Rule 12 dismissal is VACATED to the extent it dismissed (i) Isaacs' UCL claim and (ii) Greenflight's competition claims (including Sherman Act monopolization and tethered UCL theories).

b. Isaacs's UCL claim is REINSTATED. To the extent the Court requires curable particulars of the "unlawful" predicate, Plaintiff may file a conforming amendment within 21 days solely to identify the specific § 1512 subdivision and brief particulars.

c. Greenflight's competition claims (including Sherman Act monopolization and tethered UCL theories) are REINSTATED so that the parties may proceed to discovery consistent with the analysis in *Yelp Inc. v. Google LLC*.

The parties shall update their joint scheduling report within 21 days after any conforming amendment by Isaacs, or, if no amendment is filed, within 21 days of this Order.

To the extent any relief is not expressly granted herein, it is DENIED WITHOUT PREJUDICE to renewal at an appropriate procedural juncture.

DONE AND ORDERED in Chambers at Miami, Florida, this ____ day of _____, 2025.

K. MICHAEL MOORE

UNITED STATES DISTRICT JUDGE